

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

MICHELLE J. KANE (CABN 210579)  
Assistant United States Attorney  
150 Almaden Boulevard, Suite 900  
San Jose, CA 95113  
Telephone: (408) 535-5061  
Fax: (408) 535-5066  
E-Mail: michelle.kane3@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 10-00244 EMC
	)	
Plaintiff,	)	
	)	STIPULATION AND [PROPOSED]
v.	)	ORDER EXCLUDING TIME FROM JUNE
	)	13, 2011, TO JULY 13, 2011.
MICHAEL ANTHONY NELSON,	)	
	)	
Defendant.	)	

With the agreement of the parties in open court on June 14, 2011, and with the consent of the defendant Michael Anthony Nelson, the Court enters this order (1) setting a status conference in District Court on July 14, 2011, at 2:30 p.m., and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from June 13, 2011, to July 13, 2011. The Court finds and holds, as follows:

1. The parties previously appeared before District Judge Marilyn Hall Patel for a status conference on May 16, 2011. At that time, Judge Patel scheduled a further status conference for June 13, 2011, and found that the period from May 16, 2011, to June 13, 2011, was properly excluded under the Speedy Trial Act to allow defense counsel further preparation. The

1 government agreed to the proposed exclusion of time.

2 2. On June 7, 2011, the case was reassigned to Judge Edward M. Chen and a status  
3 conference was set for June 14, 2011. The parties appeared before Judge Chen on June 14, 2011.  
4 At that time, Judge Chen scheduled a further status conference for July 13, 2011. Counsel for the  
5 defendant, who was present and in custody, requested that the period until July 13, 2011, be  
6 excluded under the Speedy Trial Act to allow defense counsel time for further preparation,  
7 including reviewing documents.

8 3. The Court finds that, taking into account the public interest in the prompt disposition of  
9 criminal cases, granting the continuance from June 13, 2011 (the end date of the previous  
10 exclusion, which was to have been the next calling of this case), to July 13, 2011, is necessary for  
11 effective preparation of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). Given these  
12 circumstances, the Court finds that the ends of justice served by excluding the period from June  
13 13, 2011, to July 13, 2011, outweighs the best interest of the public and the defendant in a speedy  
14 trial. 18 U.S.C. § 3161(h)(7)(A).

15 //

3. Accordingly, and with the consent of the defendant, the Court (1) sets a status hearing on July 13, 2011 at 2:30 p.m., and (2) orders that the period from June 13, 2011, to July 13, 2011, is excluded from Speedy Trial Act computation under 18 U.S.C. §§ 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Dated: June 27, 2011

Respectfully submitted,

MELINDA HAAG  
United States Attorney

/s/

MICHELLE J. KANE  
Assistant United States Attorney

Dated: June 27, 2011

BARRY PORTMAN  
Federal Public Defender

/s/

RONALD TYLER  
Assistant Federal Public Defender  
Counsel for Michael A. Nelson

IT IS SO ORDERED.

DATED: July 1, 2011

EDWARD M. CHEN  
United States District Judge

